

Appl. No. 10/522,598
Amendment dated July 3, 2008
Reply to Office Action of March 6, 2008

REMARKS

In the March 6, 2008 Office Action, claims 5-15, 17, and 19-39 stand rejected in view of prior art. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the March 6, 2008 Office Action, Applicant have amended claims 5-8. Thus, claims 5-15, 17, and 19-39 are pending, with claims 5-8 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Interview Summary

On June 24, 2008, the undersigned conducted a personal interview with Examiner Nguyen, who is in charge of the above-identified patent application. Applicant wishes to thank Examiner Nguyen for the opportunity to discuss the above-identified patent application during the Interview of June 24, 2008.

Rejections - 35 U.S.C. § 103

In items 2-3 of the Office Action, claims 5-7 and 38-39 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2005-0153745 (Smethers) in view of U.S. Patent No. 6,850,781 (Goto) and U.S. Patent Publication No. 2002-0080195 (Carlson et al.). In item 4 of the Office Action, claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2005-0153745 (Smethers) in view of U.S. Patent No. 6,912,664 (Ranganathan et al.) and U.S. Patent Publication No. 2002-0080195 (Carlson et al.). In item 5 of the Office Action, claim 10 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2005-0153745 (Smethers) in view of U.S. Patent No. 6,912,664 (Ranganathan et al.), U.S.

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Patent Publication No. 2002-0080195 (Carlson et al.), and U.S. Patent No. 7,039,423 (Daniel).

In item 6 of the Office Action, claims 11-13 and 15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2005-0153745 (Smethers) in view of U.S. Patent No. 6,912,664 (Ranganathan et al.), U.S. Patent Publication No. 2002-0080195 (Carlson et al.), and U.S. Patent Publication No. 2004-0077340 (Forsyth). In item 7 of the Office Action, claims 14 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2005-0153745 (Smethers) in view of U.S. Patent No. 6,912,664 (Ranganathan et al.), U.S. Patent Publication No. 2002-0080195 (Carlson et al.), U.S. Patent Publication No. 2004-0077340 (Forsyth), and International Patent Publication No. WO02-14976 (Hwang). In item 8 of the Office Action, claim 34 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2005-0153745 (Smethers) in view of U.S. Patent No. 6,912,664 (Ranganathan et al.), U.S. Patent Publication No. 2002-0080195 (Carlson et al.), and International Patent Publication No. WO02-14976 (Hwang). In item 9 of the Office Action, claims 19-20 and 24-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2005-0153745 (Smethers) in view of U.S. Patent No. 6,850,781 (Goto), U.S. Patent Publication No. 2002-0080195 (Carlson et al.), and U.S. Patent Publication No. 2004-0077340 (Forsyth). In item 10 of the Office Action, claims 21-23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2005-0153745 (Smethers) in view of U.S. Patent No. 6,850,781 (Goto), U.S. Patent Publication No. 2002-0080195 (Carlson et al.), and U.S. Patent No. 7,039,423 (Daniel). In item 11 of the Office Action, claims 35-37 stand rejected as being unpatentable over U.S. Patent Publication No. 2005-0153745 (Smethers) in view of U.S. Patent No. 6,850,781 (Goto), U.S. Patent Publication No. 2002-0080195

(Carlson et al.), and International Patent Publication No. WO02-14976 (Hwang). In response, Applicant has amended claims 5-8.

More specifically, Applicant has amended claim 5 to recite that the content information is automatically provided, without any request, to the mobile communication device from the service server, after the user select the content information. Applicant respectfully asserts that by this amendment it is clear that the user pre-selects the content information, and does not have to request for providing the content information each time. Applicant believes that such arrangement is well known in the art as “pushing” information.

Smethers is cited in the Office Action to show such configuration; however, Smethers shows in [0038] that the location of the mobile device is used by the browser to select one of the hyperlinks that is previously stored within the mobile device. Applicant respectfully asserts that in the arrangement the user should click the hyperlinks to obtain information.

Further, Goto is cited in the Office Action to show that an idle screen includes screens divide in a first and second region. Carlson et al. are cited in the Office Action to show that the second region has a menu corresponding to the content information displayed in the first region or quick launch executing resources. Ranganathan et al. are cited in the Office Action to show that idle screen includes screens divided into a first, second, third and fourth regions. Applicant respectfully asserts that none of the Goto, Carlson et al., and Ranganathan et al. references overcomes the deficiencies of the Smethers reference.

Applicant respectfully asserts that this arrangement where the content information is automatically provided, without any request, to the mobile communication device from the service server, after the user select the content information, is *not* disclosed or suggested by the Smethers, Goto, Carlson et al., Ranganathan et al., Forsyth, Daniel, Hwang, or any other

prior art of record. It is well settled in U.S. patent law that the mere fact that the prior art can be modified does *not* make the modification obvious, unless the prior art provides an *apparent reason* for the desirability of the modification. Accordingly, the prior art of record lacks any apparent reason, suggestion or expectation of success for combining the patents to create the Applicants' unique arrangement.

Applicant respectfully asserts that claims 6-8 are also allowable for the same or similar reasons stated above.

Moreover, Applicant believes that claims 9-15, 17, and 19-39 are also allowable over the prior art of record in that they depend from independent claims 5-8, and therefore are allowable for the reasons stated above. Also, the dependent claims 9-15, 17, and 19-39 are further allowable because they include additional limitations. Thus, Applicant believes that since the prior art of record does not disclose or suggest the invention as set forth in independent claim 5-8, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

Therefore, Applicant respectfully requests that this rejection be withdrawn in view of the above comments and amendments.

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In view of the foregoing amendment and comments, Applicant respectfully asserts that claims 5-15, 17, and 19-39 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

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